

WEDNESDAY, MARCH 12, 2003

SEVENTEENTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 3:30 p.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by Dr. Jerry Sutton of Two Rivers Baptist Church in Nashville, Tennessee, a guest of Senator Haynes.

PLEDGE OF ALLEGIANCE

Senator Person led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

COMMUNICATION

March 7, 2003

Lt. Governor John Wilder
Legislative Plaza Suite One
Nashville, Tennessee 37243

Dear Governor Wilder:

I request to be excused from Senate Session on Wednesday, March 12, 2003, due to travel regarding state business.

Thank you for your consideration.

Sincerely,

/s/ Ward Crutchfield

APPROVED: Lieutenant Governor
John S. Wilder

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 115, 541, 677 and 1528; Senate Resolution No. 13; and Senate Joint Resolutions Nos. 64 and 117.

HENRY, Chairperson
March 11, 2003

The Speaker announced that he had referred Senate Bills Nos. 115, 541, 677 and 1528; Senate Resolution No. 13; and Senate Joint Resolutions Nos. 64 and 117 to Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 523 with amendment, 762 and 1691.

COHEN, Chairperson
March 11, 2003

The Speaker announced that he had referred Senate Bills Nos. 523 with amendment, 762 and 1691 to Committee on Calendar.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 280 with amendment, 662 with amendments, 1452 with amendment, 1580 with amendment and 1690.

COOPER, Chairperson
March 11, 2003

The Speaker announced that he had referred Senate Bills Nos. 280 with amendment, 662 with amendments, 1452 with amendment, 1580 with amendment and 1690 to Committee on Calendar.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 301, 791, 792 and 822.

PERSON, Chairperson
March 11, 2003

The Speaker announced that he had referred Senate Bills Nos. 301, 791, 792 and 822 to Committee on Calendar.

GENERAL WELFARE, HEALTH AND HUMAN RESOURCES

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 838, 991 with amendment and 1047.

FORD, Chairperson
March 12, 2003

The Speaker announced that he had referred Senate Bills Nos. 838, 991 with amendment and 1047 to Committee on Calendar.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 176 with amendment, 291, 578, 579 and 1789; also, recommend that Senate Bills Nos. 565 and 588 with amendment be referred to Committee on Finance, Ways and Means.

WILLIAMS, Chairperson
March 12, 2003

The Speaker announced that he had referred Senate Bills Nos. 176 with amendment, 291, 578, 579 and 1789 to Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 565 and 588 with amendment to Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend Senate Bill No. 1 with amendment be referred to Committee on State and Local Government.

HARPER, Chairperson
March 12, 2003

The Speaker announced that he had referred Senate Bill No. 1 with amendment to Committee on State and Local Government.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 1990 by Senator Crutchfield.

Appropriations -- Authorizes appropriations to exceed estimated growth in state's economy by \$100,000 or 0.001 percent. Amends TCA Title 9, Chapter 4, Part 52.

Senate Bill No. 1991 by Senator Crutchfield.

State Government -- Provides for changes in structure of state government programs in order to fund state budget. Amends TCA Title 2, Title 3, Title 4, Title 5, Title 6, Title 7, Title 8, Title 9, Title 11, Title 12, Title 13, Title 16, Title 36, Title 37, Title 38, Title 39, Title 40, Title 41, Title 43, Title 44, Title 45, Title 49, Title 50, Title 51, Title 54, Title 55, Title 56, Title 57, Title 58, Title 59, Title 60, Title 61, Title 62, Title 63, Title 65, Title 66, Title 67, Title 68, Title 70, and Title 71.

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Senate Bill No. 1992 by Senator Crutchfield.

Bond Issues -- Authorizes issuance and sale of bonds in amount not to exceed \$118,000,000 to fund state projects.

Senate Bill No. 1993 by Senator Crutchfield.

Appropriations -- Authorizes appropriations to exceed estimated growth in state's economy by \$100,000 or 0.001 percent. Amends TCA Title 9, Chapter 4, Part 52.

Senate Bill No. 1994 by Senator Crutchfield.

Appropriations -- Makes appropriations for fiscal years 2002-2003, 2003-2004.

Senate Bill No. 1995 by Senator Kurita.

Cheatham County -- Removes population exclusion which will result in appointment of county building commissioner by chief executive officer of county with approval by county legislative body in all counties of state. Amends TCA Section 13-7-110.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 297 -- Education -- Allows school term to be reduced by up to five days in 2002-2003 school year due to severe weather conditions in LEAs in declared federal disaster areas. Amends TCA Section 49-6-3004.

House Bill No. 570 -- Judges and Chancellors -- Makes technical corrections to reflect change from "Code of Professional Responsibility" to "Tennessee Rules of Professional Conduct" governing professional conduct of lawyers and judges. Amends TCA Title 17, Chapter 5; Title 23, Chapter 3; Title 40, Chapter 30 and Title 50, Chapter 6.

House Bill No. 571 -- Guardianship -- Removes social security number from information required to file petition to appoint conservator.

House Bill No. 1248 -- Taxes -- Extends 90-day extension of deadline for payment of property taxes and Hall income tax for military personnel on active duty outside United States during Operation Enduring Freedom to other hostilities where such personnel are entitled to combat compensation. Amends TCA Title 67.

House Bill No. 1798 -- Lake County -- Subject to local approval, requires Lake County board of highway commissioners rather than county commission to appoint county superintendent of highways. Amends Chapter 262 of the Private Acts of 1980; as amended.

House Bill No. 2065 -- Hardeman County -- Subject to local approval, deletes "county judge" and "county executive" references to title of chief executive officer of county from charter and renames position "county mayor". Amends Chapter 482 of the Private Acts of 1919; as amended.

House Bill No. 2067 -- Blount County -- Subject to local approval, makes revisions concerning hotel/motel tax. Amends Chapter 102 of the Private Acts of 1979.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 1988 held on desk.

Senate Bill No. 1989 held on desk.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 141 by Senator Beavers.

Memorials, Personal Achievement -- Michael Claridy, Prudential Spirit of Community Award.

Senate Joint Resolution No. 142 by Senator Crowe.

Highway Signs -- Designates portions of US Highways 41 and 41A as "Purple Heart Trail" in Tennessee.

Senate Joint Resolution No. 143 by Senator Crowe.

Memorials, Personal Achievement -- Thomas Ray Whitehead, graduation.

Senate Joint Resolution No. 144 by Senator Crowe.

Highway Signs -- Names bridge on Austin Springs Road (old highway 11 E) crossing Watauga River in Washington County "Po Do Woodward Bridge".

Senate Joint Resolution No. 145 by Senator Crowe.

Memorials, Personal Occasion -- Teresa Shortt & Edward Herbert, marriage.

Senate Joint Resolution No. 146 by Senator Burks.

Memorials, Public Service -- Marie Bush.

Senate Joint Resolution No. 147 by Senator Burks.

Naming and Designating -- National Day of Hope, first Wednesday of April 2003.

Senate Joint Resolution No. 148 by Senator Burks.

Naming and Designating -- Victims' Rights Week, April 6-12, 2003.

Senate Joint Resolution No. 149 by Senator Beavers.

Memorials, Academic Achievement -- Melissa Harmon, Salutatorian, Mt. Juliet Christian Academy.

Senate Joint Resolution No. 150 by Senator Beavers.

Memorials, Academic Achievement -- Tommy Anthony Gregory, Valedictorian, Trousdale County High School.

Senate Joint Resolution No. 151 by Senator Beavers.

Memorials, Academic Achievement -- Audrey Blair, Salutatorian, Trousdale County High School.

Senate Joint Resolution No. 152 by Senator Beavers.

Memorials, Academic Achievement -- Lindsay Speck, Valedictorian, Mt. Juliet Christian Academy.

Senate Joint Resolution No. 153 by Senator Beavers.

Memorials, Academic Achievement -- Jodi Michele Bogle, Salutatorian, Cannon County High School.

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Senate Joint Resolution No. 154 by Senator Beavers.

Memorials, Academic Achievement -- Amanda K. Nickerson, Valedictorian, Cannon County High School.

Senate Joint Resolution No. 155 by Senator Beavers.

Memorials, Academic Achievement -- Shellie Sullins, Valedictorian, Cannon County High School.

Senate Joint Resolution No. 156 by Senator Beavers.

Memorials, Academic Achievement -- Lauren Robinson, Salutatorian, DeKalb County High School.

Senate Joint Resolution No. 157 by Senator Beavers.

Memorials, Academic Achievement -- Adam Moore, Valedictorian, DeKalb County High School.

Senate Joint Resolution No. 158 by Senator Beavers.

Memorials, Academic Achievement -- Karen Baer, Valedictorian, Wilson Central High School.

Senate Joint Resolution No. 159 by Senator Beavers.

Memorials, Academic Achievement -- Austin Kimball, Salutatorian, Hendersonville High School.

Senate Joint Resolution No. 160 by Senator Beavers.

Memorials, Academic Achievement -- Shelby Kain, Valedictorian, Hendersonville High School.

Senate Joint Resolution No. 161 by Senator Beavers.

Memorials, Academic Achievement -- Ashley Porter, Salutatorian, Red Boiling Springs High School.

Senate Joint Resolution No. 162 by Senator Beavers.

Memorials, Academic Achievement -- Dustin Knight, Valedictorian, Red Boiling Springs High School.

Senate Joint Resolution No. 163 by Senator Beavers.

Memorials, Academic Achievement -- Kenneth Fushon, Salutatorian, Watertown High School.

Senate Joint Resolution No. 164 by Senator Beavers.

Memorials, Academic Achievement -- Steven Lawson, Valedictorian, Watertown High School.

Senate Joint Resolution No. 165 by Senator Beavers.

Memorials, Academic Achievement -- Mari Billington, Salutatorian, Smith County High School.

Senate Joint Resolution No. 166 by Senator Beavers.

Memorials, Academic Achievement -- Amanda Wilbert, Salutatorian, Lebanon High School.

Senate Joint Resolution No. 167 by Senator Beavers.

Memorials, Academic Achievement -- Keshia Poindexter, Salutatorian, Celina High School.

Senate Joint Resolution No. 168 by Senator Beavers.

Memorials, Academic Achievement -- Joshua Glenn Garrett, Valedictorian, Mt. Juliet High School.

Senate Joint Resolution No. 169 by Senator Beavers.

Memorials, Academic Achievement -- Mary Brown, Valedictorian, Macon County High School.

Senate Joint Resolution No. 170 by Senator Miller.

Memorials, Personal Occasion -- Bob and Doris Crane, 50th wedding anniversary.

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Senate Joint Resolution No. 171 by Senator Beavers.

Memorials, Academic Achievement -- Jessica Comer, Salutatorian, Wilson Central High School.

Senate Joint Resolution No. 172 by Senator Harper.

Memorials, Death -- Marvin Posey.

Senate Resolution No. 20 by Senator Williams.

Memorials, Death -- Gertrude Grubb Janeway.

RESOLUTIONS LYING OVER

House Joint Resolution No. 143 -- Memorials, Death -- Terri Rae Miller.

The Speaker announced that he had referred House Joint Resolution No. 143 to Committee on Calendar.

House Joint Resolution No. 144 -- Memorials, Academic Achievement -- Jeanne D'Onofrio, Salutatorian, Mt. Juliet High School.

The Speaker announced that he had referred House Joint Resolution No. 144 to Committee on Calendar.

House Joint Resolution No. 145 -- Memorials, Academic Achievement -- Joshua Garrett, Valedictorian, Mt. Juliet High School.

The Speaker announced that he had referred House Joint Resolution No. 145 to Committee on Calendar.

Senate Joint Resolution No. 132 -- Memorials, Public Service -- Kayla McCullough, Prudential Spirit of Community Award.

The Speaker announced that he had referred Senate Joint Resolution No. 132 to Committee on Calendar.

Senate Joint Resolution No. 133 -- Memorials, Personal Achievement -- Susan Dyer, Prudential Spirit of Community Award.

The Speaker announced that he had referred Senate Joint Resolution No. 133 to Committee on Calendar.

Senate Joint Resolution No. 134 -- Memorials, Retirement -- Frances Henry Hewitt.

The Speaker announced that he had referred Senate Joint Resolution No. 134 to Committee on Calendar.

Senate Joint Resolution No. 135 -- Memorials, Professional Achievement -- Education Lottery Task Force.

The Speaker announced that he had referred Senate Joint Resolution No. 135 to Committee on Calendar.

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Senate Joint Resolution No. 136 -- Memorials, Recognition -- Brian Young.

The Speaker announced that he had referred Senate Joint Resolution No. 136 to Committee on Calendar.

Senate Joint Resolution No. 137 -- Memorials, Recognition -- Woodrow Adair.

The Speaker announced that he had referred Senate Joint Resolution No. 137 to Committee on Calendar.

Senate Joint Resolution No. 138 -- Memorials, Public Service -- Cassandra Cardoza, Spirit of Community Award.

The Speaker announced that he had referred Senate Joint Resolution No. 138 to Committee on Calendar.

Senate Joint Resolution No. 140 -- Memorials, Personal Occasion -- Geneva Smith, 65th birthday.

The Speaker announced that he had referred Senate Joint Resolution No. 140 to Committee on Calendar.

CONSENT CALENDAR

House Joint Resolution No. 123 -- Memorials, Academic Achievement -- Steekee Elementary School, Blue Ribbon Nominee.

House Joint Resolution No. 124 -- Memorials, Professional Achievement -- Gary Merritts, Cheatham County School System Teacher of the Year.

House Joint Resolution No. 125 -- Memorials, Personal Achievement -- Daniel Smith, Eagle Scout.

House Joint Resolution No. 126 -- Memorials, Personal Achievement -- Robert Sands, Eagle Scout.

House Joint Resolution No. 127 -- Memorials, Personal Achievement -- Bradley Weber, Eagle Scout.

House Joint Resolution No. 128 -- Memorials, Personal Achievement -- William Philip Holloway, Eagle Scout.

House Joint Resolution No. 129 -- Memorials, Personal Achievement -- Timothy Brodeur, Eagle Scout.

House Joint Resolution No. 130 -- Memorials, Personal Achievement -- James Burt, Eagle Scout.

House Joint Resolution No. 131 -- Memorials, Personal Achievement -- Benjamin Strickland, Eagle Scout.

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House Joint Resolution No. 132 -- Memorials, Personal Achievement -- Stephen Bobo, Eagle Scout.

House Joint Resolution No. 133 -- Memorials, Personal Achievement -- William Hoelscher, Eagle Scout.

House Joint Resolution No. 134 -- Memorials, Personal Achievement -- Benjamin Speed, Eagle Scout.

House Joint Resolution No. 135 -- Memorials, Personal Achievement -- David Sands, Eagle Scout.

House Joint Resolution No. 136 -- Memorials, Personal Achievement -- Russell Streif III, Eagle Scout.

House Joint Resolution No. 137 -- Memorials, Personal Achievement -- Jarrod Handley, Eagle Scout.

House Joint Resolution No. 138 -- Memorials, Personal Achievement -- Matthew Montgomery, Eagle Scout.

House Joint Resolution No. 139 -- Memorials, Congratulations -- Clayton McWhorter, Nashvillian of the Year.

House Joint Resolution No. 140 -- Memorials, Congratulations -- Kitty Moon Emery, Nashvillian of the Year.

House Joint Resolution No. 141 -- Memorials, Personal Achievement -- Boone Lanchester, Eagle Scout.

House Joint Resolution No. 142 -- Memorials, Personal Achievement -- Jarid Morgan, Eagle Scout.

Senator Crowe moved that all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 32 |
| Noes | 0 |

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 957 -- Tennessee Regulatory Authority -- Changes designation of members of Tennessee regulatory authority from "director" to "commissioner". Amends TCA Section 65-1-201;

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Section 65-1-202; Section 65-1-203; Section 65-1-204; Section 65-1-205; Section 65-1-207 and Section 65-1-209.

Senator Kyle declared Rule 13 on **Senate Bill No. 957**.

Senate Bill No. 957 passed its third and final consideration by the following vote:

| | |
|---------------------------|----|
| Ayes | 29 |
| Noes | 0 |
| Present, not voting . . . | 1 |

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Crowe, Dixon, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--29.

Senator present and not voting was: Cooper--1.

A motion to reconsider was tabled.

Senate Bill No. 1190 -- Driver Licenses -- Clarifies that out-of-state learner's permit acceptable for intermediate driver license requirements. Amends TCA Title 55, Chapter 50, Part 3.

Senate Bill No. 1190 passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 32 |
| Noes | 0 |

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senator Dixon moved that **Senate Bill No. 154** be placed on the calendar for Wednesday, March 26, 2003, which motion prevailed.

Senate Bill No. 326 -- Education -- Allows school term to be reduced by up to five days in 2002-2003 school year due to severe weather conditions in LEAs in declared federal disaster areas. Amends TCA Section 49-6-3004.

On motion, Senate Bill No. 326 was made to conform with **House Bill No. 297**.

On motion, House Bill No. 297, on same subject, was substituted for Senate Bill No. 326.

Thereupon, **House Bill No. 297** passed its third and final consideration by the following vote:

| | |
|----------------|----|
| Ayes | 32 |
| Noes | 0 |

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senate Bill No. 47 -- Medical Occupations -- Excludes person licensed by board of occupational and physical therapy examiners or board of communication disorders and sciences who provides services to persons in their homes from being required to obtain home care organization license. Amends TCA Title 68, Chapter 11.

Senator Jackson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-201(17), is amended by adding the following new paragraph:

(G) Home health service does not include services provided in the home by a sole practice therapist, when such services are within scope of the therapist's license and incidental to services provided by the sole practice therapist in the office. For purposes of this paragraph, a sole practice therapist means a therapist licensed under Title 63, Chapter 13 or 17, who is in sole practice and not in a business arrangement with any other therapist or other healthcare provider. Nothing in this paragraph shall exclude a sole therapist from the requirement of this section relative to professional support services.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 47**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senate Bill No. 374 -- Law Enforcement -- Enacts "General Patton Act of 2003". Amends TCA Title 4, Chapter 7, Part 1; Title 38, Chapter 8, Part 1; Title 39, Chapter 14, Part 2 and Title 44, Chapter 17, Part 4.

Senator Person moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2(c)(1) of the printed bill and by substituting instead the following:

(1) For law enforcement officers who have completed the animal behavior training course required by subsections (a) and (d) of this section, any annual in-service training, necessary for the salary supplement authorized in § 38-8-111, may also include the animal behavior training course.

AND FURTHER AMEND by deleting Section 3(b) of the printed bill and by substituting instead the following:

(b) For members of the highway patrol who have completed the animal behavior training course required by subsections (a) and (c) of this section, any annual in-service training, required for members of the highway patrol, may also include the animal behavior training course.

On motion, the amendment was adopted.

Senator Cohen moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting Sections 5 and 6 of the printed bill and by renumbering subsequent sections accordingly.

Pursuant to Rule 39(3), Amendment No. 2 was adopted by the following vote:

| | |
|----------------|----|
| Ayes | 31 |
| Noes | 0 |

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

Thereupon, Senator Cohen moved that **Senate Bill No. 374**, as amended, be placed at the heel of the calendar for today, which motion prevailed.

Senator Burks moved that **Senate Bill No. 479** be placed on the calendar for Thursday, March 13, 2003, which motion prevailed.

Senator Dixon moved that **Senate Bill No. 764** be placed on the calendar for Monday, March 17, 2003, which motion prevailed.

Senate Bill No. 1067 -- General Assembly, Studies -- Extends reporting deadline of special joint committee created to perform comprehensive analysis of predatory lending from February 28, 2003, to February 28, 2004. Amends Chapter 871 of the Public Acts of 2002.

Senate Bill No. 1067 passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

House Joint Resolution No. 120 -- Naming and Designating -- "West Tennessee Polled Hereford Association Day", March 15, 2003.

Senator Norris moved that the Senate concur in **House Joint Resolution No. 120**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senate Bill No. 708 -- Traffic Safety -- Revises language in present law to delete "unlawful" term to clarify that violation of failing to yield right of way or interfering with properly identified funeral procession which is enabling statute for county or municipal action is clearly civil violation and not criminal. Amends TCA Section 55-8-183.

Senator Williams moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the effective date section and by substituting instead the following:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, **Senate Bill No. 708**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron,

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Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

Senator Cohen moved that **Senate Bill No. 374**, as amended, be placed on the calendar for Wednesday, March 19, 2003, which motion prevailed.

MOTION

Senator Miller moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 170**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 170 -- Memorials, Personal Occasion -- Bob and Doris Crane, 50th wedding anniversary.

On motion of Senator Miller, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 170** was adopted by the following vote:

| | |
|------------|----|
| Ayes | 31 |
| Noes | 0 |

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

MOTION

Senator Trail moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 140**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 140 -- Memorials, Personal Occasion -- Geneva Smith, 65th birthday.

On motion of Senator Trail, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 140** was adopted by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--29.

A motion to reconsider was tabled.

MOTION

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 678**.

On motion of Senator Haynes, his name was added as sponsor of **House Joint Resolutions Nos. 139 and 140**.

On motion of Senators Norris and Burks, their names were added as sponsors of **House Joint Resolution No. 120**.

On motion of Senators Miller and McNally, their names were added as sponsors of **House Joint Resolution No. 123**.

On motion of Senator Ramsey, his name was added as sponsor of **House Joint Resolution No. 138**.

On motion, all Senators' names were added as sponsors of **House Joint Resolutions Nos. 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 141 and 142**.

On motion of Senator Williams, his name was added as sponsor of **House Joint Resolution Nos. 120 and Senate Bill No. 326**.

On motion of Senator Norris, his name was added as sponsor of **Senate Bill No. 1067**.

On motion of Senator Graves, her name was added as sponsor of **House Joint Resolution No. 139**.

On motion of Senators Harper and Cohen, their names were added as sponsors of **House Joint Resolutions Nos. 139 and 140**.

On motion of Senator Dixon, his name was added as sponsor of **House Joint Resolution No. 139**.

RECALL OF BILL

On motion of Senator Ford, **Senate Bill No. 819** was recalled from the Committee on Government Operations.

WITHDRAWAL OF BILL

On motion of Senator Ford, Senate Bill No. 819 was withdrawn from the Senate.

ENGROSSED BILLS

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MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 47, 708, 957, 1067 and 1190; and Senate Joint Resolutions Nos. 140 and 170; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 12, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 118, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

March 12, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 118, and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

March 11, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 271, 272, 422 and 1207; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

March 12, 2003

The Speaker announced that he had signed the following: Senate Joint Resolution No. 118.

SIGNED

March 12, 2003

The Speaker announced that he had signed the following: House Bills Nos. 271, 272, 422 and 1207.

MESSAGE FROM THE HOUSE

March 12, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 118, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 12, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolution No. 118, for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 13, 2003: Senate Joint Resolutions Nos. 64, 117, 132, 133, 134, 135, 136, 137 and 138; and Senate Resolution No. 13.

This the 11th day of March, 2003.
CROWE, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, March 13, 2003: Senate Bills Nos. 115, 523, 541, 677, 762, 1528 and 1691.

This the 11th day of March, 2003.
CROWE, Chairperson.

ADJOURNMENT

Senator Atchley moved the Senate adjourn until 9:00 a.m., Thursday, March 13, 2003, which motion prevailed.